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From: Williams, Geline (DAA)
Sent: Thursday, January 14, 2010 4:27 PM
To: DAA-DL-Melendez-Diaz
Cc: Yorlano, Joseph (BER); Desroches, Neil (NWD); Haran, Donna Marie (MID); Grossman, John (EPS); Massing, Greg (EPS); Hall, Heather E (POL); Kerle, Thomas (POL); Connolly, James (POL); Selin, Ellen; gina.nano@umassmed.edu; Nassif, Julianne (DPH); Connolly, Grace (DPH); Williams, Geline; Nardone, Andrea (DAA); Aliprantis, Kim (DAA); Middleton, Bridget (PLY)
Subject: Melendez Diaz
Attachments: Notes of Melendez Diaz meeting 1.7.10.doc; Essex County Memo on Breath Test Maintenance Records.doc; Agonis Ruling - Fitchburg Case - November 2009.pdf; Sample lab notification of case disposition.doc

Thank you all for taking the time last week to brainstorm at Holy Cross. I attach notes of that meeting, including the main recommendations (which I have passed on to the DAs and will be on their agenda next week). I also attach a cc of the *Agonis* ruling from Fitchburg DCT, which should be of a great help to OAT if ADAs aggressively proffer it to DCT judges when faced with BT certification motions in OUI cases. We will also offer a cc to Judge Connolly when she visits the DAs here at MDAA next week.

Suffolk has kindly provided a cc of its notification form, to let the labs know when a case that is in the lab's queue for testing has actually been closed out.

Finally, Plymouth has raised an issue that is a M-D nightmare: in a pending homicide case, the medical examiner sent the victim's blood to UMass for testing. The lab sent the blood out to Pennsylvania for testing. Plymouth is now in the process of bringing in FIVE Pennsylvania chemists to testify. It was not apparent from the face of the test certificate that the specimens had, in fact, been outsourced for testing . . . just something else to keep in mind!!!

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